

2. Title: General Requirements**3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require the rule:**

Subsection 19-2-104(1)(a) authorizes the Air Quality Board to make rules "...regarding the control, abatement, and prevention of air pollution from all sources. . ." Other components of Section 19-2-104 authorize the Board to make rules affecting specific sources of air pollution. Rule R307-101 includes definitions used throughout all the rules contained in R307 that are written under Section 19-2-104. Without these definitions, the remaining rules would be unenforceable.

4. A summary of written comments received during and since the last five-year review of the rule from interested persons supporting or opposing the rule:

R307-101 has been amended once since its last five-year review (DAR No. 29000, effective 3/9/2007). One comment was received on that amendment. COMMENT. The current rule makes it clear that all of Salt Lake County is included [in the SO₂ maintenance area], but only the elevated part of the east side of Tooele County is included. It seems that the proposed wording leaves it uncertain what "above 5600 feet" modifies just the eastern portion of Tooele County (as DAQ apparently intends), or that plus Salt Lake County. To ensure that it is clear that all of Salt Lake County will no longer be considered nonattainment for SO₂ (after EPA approves the SO₂ Maintenance Plan), KUCC suggests the phrase "All of" be inserted before the phrase "Salt Lake County" in the proposed change to R307-101-2. [Kennecott Utah Copper Corporation] STAFF RESPONSE. Staff agreed and made the needed change to the rule. No other comments were received about this rule since the last review.

5. A reasoned justification for continuation of the rule, including reasons why the agency disagrees with comments in opposition to the rule, if any:

Section R307-101-2 includes all the definitions that apply throughout all the rules contained in R307. Without them, the remaining rules would be unenforceable, so this rule should be continued.

6. key words air pollution, definitions**7. attach document.**

Agency head or designee, and title

Date



2-23-07